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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,190	04/11/2001	Toshihumi Takada	04208.0101	1562

22852 7590 04/29/2003

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EXAMINER

LEON, EDWIN A

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,190

Applicant(s)

TAKADA ET AL.

Examiner

Edwin A. León

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2003 and 14 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment and Request for Continued Examination filed March 28, 2003 and April 14, 2003, in which Claim 1 has been amended, have been place of record in the file as Papers No. 15 and 17, respectively.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Komatsu (U.S. Patent No. 5,051,101). With regard to Claim 1, Komatsu discloses a card connector for accepting a card (C), which has a recess (81) in its side surface, the card connector comprising: an eject mechanism (8,9) having an eject member (8,9), the eject member (8,9) being adapted to move in a card insertion direction as the card (C) is inserted into the connector during a card insertion operation and to move in a card eject direction in response to a card eject operation to eject the card (C); an elastic locking piece (11) having a locking portion (13) to engage a single side of the card (C) in the

recess (81) of the card (C) and a stationary portion (9a) fixed to the eject member (8,9); and a locking piece guide means (12) for guiding the elastic locking piece (11) during the card eject operation and the card insertion operation wherein the locking piece guide means (12) causes the elastic locking piece (11) to become elastically deformed during the card eject operation to move the locking portion (13) away from the recess (81) of the card (C) and wherein the locking piece guide means (12) causes the elastic locking piece (11) to become released from the elastic deformation during the card insertion operation thereby causing the elastic locking piece (11) to move toward the card (C) by an elastic recovery force to engage the locking portion (13) in the recess (81) of the card (C). See Figs. 1-5 and 10.

With regard to Claim 2, Komatsu discloses the locking piece guide means (12) having a protruding portion (14) projecting from the elastic locking piece (11); and a guide wall (7) formed in the connector housing (2) and having a tapered surface (7b) to guide the protruding portion (14) as the eject member (8,9) moves in the card insertion or eject direction. See Figs. 1-5 and 10.

With regard to Claim 3, Komatsu discloses the locking piece guide means (12) guiding the protruding portion (14) of the elastic locking piece (11) thereby causing the locking portion (13) to move away from the side surface of the card (C) and towards a side wall portion of the connector housing (2) during the card eject operation and to move toward the side surface of the card (C) during the card insertion operation causing the locking portion (13) to press against the side surface of the card (C); the protruding portion (14) of the elastic locking piece (11) projects upwardly or downwardly of the

connector housing (2); and the tapered surface of the guide wall (7) is inclined with respect to the side surface of the inserted card (C). See Figs. 1-5 and 10.

With regard to Claim 4, Komatsu discloses the locking piece guide means (12) guiding the protruding portion (14) of the elastic locking piece (11) thereby causing the locking portion (13) to move vertically away from the bottom or top surface of the card (C) during the card eject operation and to move toward the bottom or top surface of the card (C) during the card insertion operation causing the locking portion (13) to press against the bottom or top surface of the card (C); the protruding portion (14) of the elastic locking piece (11) projects widthways of the connector housing (2); and the tapered surface of the guide wall (7) is inclined with respect to the bottom surface of the inserted card (C). See Figs. 1-5 and 10.

With regard to Claim 5, Komatsu discloses the locking piece guide means (12) being a member projecting from the connector housing (2) to engage a part, of the elastic locking piece (11) thereby causing the locking portion (13) to move away from the side surface of the card (C) and towards a side wall portion of the connector housing (2) during the card eject operation and to move toward the side surface of the card (C) during the card insertion operation. See Figs. 1-5 and 10.

With regard to Claim 6, Komatsu discloses the locking portion (13) of the elastic locking piece (11) being shaped virtually like a hook. See Figs. 1-5 and 10.

With regard to Claim 7, Komatsu discloses that when a second card (C) without the recess (81) is inserted, the locking portion (13) of the elastic locking piece (11) works as a braking piece that presses against a wall surface of the second card (C) to

apply to the card (C) a braking force acting in a direction opposing card retraction. See Figs. 1-5 and 10.

With regard to Claim 8, Komatsu discloses the connector housing (2) being formed with a space that prevents the protruding portion (14) from interfering with other members when a second card (C) without the recess (81) is inserted. See Figs. 1-5 and 10.

Response to Arguments

4. Applicant's arguments filed March 28, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claim 1 that the Komatsu reference show locking portions engaging two sides of the card in two recesses of the card, Applicant is reminded that the Komatsu reference discloses the invention as claimed. The fact that it discloses additional structure not claimed is irrelevant. Furthermore, Applicant's claims calls for an elastic locking piece having a locking portion to engage a single side of the card in the recess of the card. Komatsu discloses an elastic locking piece (11) having a locking portion (13) to engage a single side of the card (C) in the recess (81) of the card (C). It is clear that the locking portion (13) only engages a single side of the card (C) in the recess (81) of the card (C) and not the two recesses (81) in the sides of the card (C). The fact that Komatsu has two locking portions (13) does not affect the fact that Applicant's claims can read on its teachings.

Art Unit: 2833

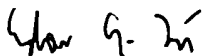
In response to Applicant's arguments regarding Claim 1 that the Komatsu reference doesn't show a stationary portion fixed to the eject member, Applicant's attention is directed to Fig. 10 of the Komatsu reference in which stationary portion (9a) is clearly fixed to the eject member (8,9). It is clear that 9a is stationary and that is fixed to part (9), which is considered part of the eject member (8,9).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 10:00-6:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Edwin A. Leon
AU 2833

EAL
April 27, 2003



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